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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,818	10/18/2000	Noriaki Hashimoto	83115-002	3661

			EXAMINER
52190	7590	08/22/2006	COLIN, CARL G

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ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 June 2006*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   In response to communications filed on 6/12/2006, the following claims 1-23 are

presented for examination.

2.   Applicant's arguments, filed on 6/12/2006 with respect to the rejection of claims 1-23

have been fully considered but they are not persuasive. Regarding claim 1, Applicant

erroneously argues that the customer IP address is not assigned to the user computer because it is

stored in the server. Examiner respectfully disagrees and directs Applicant to read column 5,

lines 40-61 where it is clearly explained that the server needs to store the assigned authenticated

IP address so that future packets flow from customer assigned IP address can be validated. (See

also claims 1 and 8). Figure 3A shows an extended DHCP request containing customer IP

address for verification purposes. Allan discloses different embodiment that authenticates the

user IP address to determine whether the user is legitimate (see other embodiment column 7,

lines 3-15). Examiner asserts that in these two examples above, the IP address is assigned to the

user computer contrarily to Applicant's argument. For at least the reasons cited above, Applicant

has not overcome the rejection and it remains the Examiner's position that claims 1-23 remain

rejected.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Publication 6,912,567 to **Allard et al**.

As per claims 1, 21, and 22, Allard et al discloses an access control system for preventing an unauthorized access to a network via a user computer, the system comprising: server comprising router table and database for storing customer assigned IP address (see column 7, lines 3-11; column 5, lines 40-61 and claims 1 and 8); that meets the recitation of a memory containing an IP address assigned to the user computer; and server comprising a microprocessor programmed to terminate a connection between the user computer and the network when an originating IP address of a data packet received from the user computer does not match the IP address assigned to the user computer that is contained in the memory (see column 6, lines 15-52 and column 6, line 60 through column 7, line 15).

As per claim 5, claim 5 contains similar limitations to claim 1 except for using an access controlled system. **Allard et al** discloses a server that meets the recitation of an access control

system located between the user computer and the host computer system (see figure 2).

Therefore, claim is rejected on the same rationale as the rejection of claim 1.

        As per claim 13, Allard et al discloses a method for preventing an unauthorized access

to a network via a user computer connected to the network through a host computer system (ISP

server) which is connected to an access control system (BMPS server), the method comprising:

storing an IP address of the user computer in a server database (see column 7, lines 3-11; column

5, lines 40-61 and claims 1 and 8) that meets the recitation of storing an IP address of the user

computer in a memory of an access control system; receiving a data packet from a user computer

with an originating IP address (column 4, lines 21-40) comparing an originating IP address of the

data packet with the IP address of the user computer stored in the memory of the access control

system (see column 6, lines 15-52 and column 5, lines 15-36); terminating a connection between

the user computer and a host computer system if the originating IP address of the data packet is

different from the IP address of the user computer stored in the memory of the access control

system (see column 6, lines 15-52 and column 7, lines 1-2).

        As per claim 9, claim 9 contains similar limitations to claim 13 except for reciting

denying the user computer an access to the network if the originating IP address of the data

packet is different from the IP address of the user computer stored in the memory of the access

control system. **Allard et al** discloses denying access to the Internet if a "no" condition exists,

(see column 6, lines 15-52 and column 6, line 60 through column 7, line 2).

As per claim 16, Allard et al discloses a secure network comprising a host computer

connected to the secure network (column 5, lines 1-15) an access control system (BMPS server)

connected to the host computer system and having a memory (see column 5, lines 1-15); and a

user computer connected to the host computer and configured to access the secure network

through the host computer (see column 5, lines 1-15 and figure 2); and discloses the server

including a database is programmed to terminate a connection between the user computer and the

host computer system when an originating IP address of a data packet sent from the user

computer for transmission to a node in the secure network does not match the IP address

assigned to the user computer that is contained in the memory of the access control system (see

column 6, lines 15-52 and column 7, lines 1-2). (See also column 7, lines 3-11; column 5, lines

40-61 and claims 1 and 8).

As per claim 20, claim 20 contains some of the limitations to claim 16 except for reciting

denying the user computer an access to the network if the originating IP address of the data

packet is different from the IP address of the user computer stored in the memory of the access

control system. Allard et al discloses denying access to the Internet if a "no" condition exists,

(see column 6, lines 15-52 and column 6, line 60 through column 7, line 2).

As per claims 2, 6, and 14, Allard et al discloses the limitation of wherein the

microprocessor is further programmed to delete the IP address of the user computer from the

memory when the originating IP address of the data packet received from the user computer does

not match the IP address assigned to the user computer that is contained in the memory, for

example (see column 6, lines 40-52 and column 7, lines 19-30).

As per claims 3, 7, and 15, **Allard et al** discloses the limitation of, wherein the

microprocessor is further programmed to update the IP address of the user computer contained in

the memory, for example (see column 6, lines 29-34).

As per claims 4, 8, 23, **Allard et al** discloses the limitation of wherein the memory is a

part of the microprocessor (see column 5, lines 2-4).

As per claim 10, **Allard et al** discloses the limitation of wherein the denying step

includes terminating the connection between the user computer and the network (see column 6,

lines 15-52 and column 6, line 60 through column 7, line 2).

As per claim 11, **Allard et al** discloses the limitation of further comprising updating the

IP address of the user computer stored in the memory of the access control system, for example

(see column 6, lines 29-34).

As per claim 12, **Allard et al** discloses the limitation further comprising deleting the IP

address of the user computer from the memory of the access control system if the originating IP

address of the data packet is different from the IP address of the user stored in the memory of the

access control system, for example (see column 6, lines 40-52 and column 7, lines 19-30).

As per **claim 17**, **Allard et al** discloses the limitation of wherein the user computer and

the host computer system are connected via a Public Switched Telephone Network (column 6,

lines 15-20).

As per **claim 18**, **Allard et al** discloses the limitation of wherein a host computer system

comprising an access server and a plurality of modems and wherein the access control system is

located between the access server and the plurality of modems (column 3, lines 25-52 and

column 5, lines 1-28).

As per **claim 19**, **Allard et al** discloses the limitation of wherein the host computer

system and the user computer are connected via a local area network (column 3, lines 25-52).

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action

is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply

is filed within TWO MONTHS of the mailing date of this final action and the advisory action is

not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

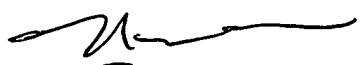extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than SIX

MONTHS from the mailing date of this final action.

4.1   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Carl Colin whose telephone number is 571-272-3862. The

examiner can normally be reached on Monday through Thursday, 8:00-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CC
Carl Colin
Patent Examiner
August 18, 2006

NASSER MOAZZAMI
PRIMARY EXAMINER

8/21/06